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BANGALORE, THURSDAY, APRIL 9, 1908.


## PART III.

### Legislative Measures and Rules thereunder.

*Notification No. Fl.* 4727—*S. R.* 130-07-2, *dated* 21*st March* 1908.

Whereas it has been found necessary to take steps to control the preparation, possession and sale of Methylated spirits in the Mysore State, the following rules have been framed by the Government of His Highness the Maharaja of Mysore under Section 2, Act XVI of 1863, as applied to Mysore by Regulation, II of 1885, and Sections 13 and 15 of the Mysore Excise Regulation, V of 1901, in that regard, in supersession of those contained in Notification No. 12981—R. E. 208-92, dated 27th January 1893. They will come into force from and after 1st April 1908:—

1. Methylated spirit is spirit rendered effectually and permanently unfit for human consumption by the admixture of caoutchoucine or in special cases of wood-naptha.

2. It is liable to a duty of 5 per cent *ad valorem*; the value to be fixed by the Excise Commissioner subject to revision by Government. The manufacturers should declare the sale price of the spirit for the purpose of calculating the duty.

3. It may be manufactured at the Government Central Distillery at Bangalore, provided:—

   (1) that the caoutchoucine to be mixed with the spirit must be first tested and approved by the Chemical Examiner to Government,

   (2) that it must be kept under lock and key by, and used under the supervision of, the Distillery Officer,

   (3) that it must be used in the proportion of one part by volume of caoutchoucine to 99 parts by volume of the spirit, and

   (4) that the spirit shall not be of less strength than 30 per cent over-proof.

   Similar conditions apply to the use of wood-naptha in the special cases where its use is permitted by the Excise Commissioner in Mysore, with this difference, that one part by volume of crude wood-naptha shall be mixed with nine parts of spirits and that the use of wood-naptha in a highly purified condition will not be permitted.

4. Licenses (M. S.—1.) for the sale of Methylated spirits will be issued free of fee to respectable applicants on their showing that they have a legitimate demand for such spirit. But the issue of licenses to persons licensed to sell liquor for consumption on the premises is prohibited.

5. The holders of (M. S.—1.) licenses may obtain their supplies of spirit from the Bonded Depot on payment of the price and duty to the Taluk Treasury and on production of a written permission (M. S.—2.) from the Deputy Commissioner of the district in which the shop is located. Books of forms of application for such permission (M. S.—3.) will be supplied to them.

6. For the issue of Methylated spirits from the Distillery to Bonded Depots the rules applicable to arrack and other country spirits shall apply *mutatis mutandis*.

7. No issue of more than 100 gallons of Methylated spirit at a time to any license holder is permitted.

8. Unlicensed persons are prohibited from selling Methylated spirit and from possessing more than one gallon at a time. This limit is fixed under Section 13 of the Excise Regulation, V of 1901. Breach of this rule will subject the offender to the penalties prescribed in the Regulation.

9. Materials intended for use in the methylation of spirits must be delivered by the manufacturers into the charge of the Distillery Officer who will take a sample from each separate cask or parcel thereof and forward the same to the Excise Commissioner in Mysore for transmission to the Chemical Examiner, and will secure the bulk under a lock in a separate secure room or godown to be provided by the distiller. No portion of such bulk shall be used for the purpose of methylation or be transferred to the warehouse until the receipt of the Chemical Examiner's report. On the receipt thereof, if it be to the effect that the materials are not suitable for use in methylation, the officer shall deliver the same to the manufacturers who shall be bound forthwith to remove the same from the premises and not to bring them back again. If, however, the Chemical Examiner's report is to the effect that the materials are suitable for use in methylation, the officer will cause them to be removed into and to be secured in the Distillery Warehouse, and at the same time enter them in the register (M. S.—4).

10. A register in the form (M. S.—4.) shall be maintained at the Government Central Distillery at Bangalore.

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## Form M. S.—1.

### LICENSE FOR THE SALE OF METHYLATED SPIRITS.

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I,.....Deputy Commissioner of....., under the provisions of the Mysore Excise Regulation No. V of 1901, hereby license you ..... to sell Methylated spirits at your shop at ..... subject to the following conditions and stipulations to be observed by you, the said

### CONDITIONS.

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1. This license extends only to the sale of Methylated spirit, which means spirit which has been rendered effectually and permanently unfit for human consumption by the admixture of caoutchoucine in accordance with the rules prescribed on the subject.

2. Methylated spirits may be obtained from the Bonded Depot, on payment of the reduced duty at 5 per cent *ad valorem*, and price at such rate as may be fixed by the manufacturers into the Taluk Treasury on the prescribed challan and on production of a written permission from the Deputy Commissioner of the district in which

the shop is located. All applications for such permission must be in a prescribed form. Books of forms of application may be had on payment of their cost price.

3. No more than one gallon of Methylated spirits shall be sold at any one time to any one person.

4. The shop for which this license is granted shall not be kept open between the hours of 9 P.M. and 6 A.M. except with the permission of the Deputy Commissioner.

5. The shop shall not be located in the same building with a foreign liquor tavern, refreshment room, hotel, arrack, or toddy, or other shop for sale of intoxicating liquor for consumption on the premises.

6. This license shall be hung up in a conspicuous place in the shop.

7. The privilege of vend of Methylated spirits shall not be sold, transferred or sub-rented except with the permission of the Excise Commissioner.

8. A correct account shall be kept of the daily transactions under this license in the following form. Such account and the stock of the spirit shall be produced immediately on demand for inspection by any Excise Officer of not lower rank than Assistant Inspector :—

| Date | Opening balance | | Quantity received | | Source of supply | Total quantity in hand and received | | Quantity sold (each transaction) | | Name of purchaser | Address of purchaser | Total quantity sold each day | | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 2 | | 3 | | 4 | 5 | | 6 | | 7 | 8 | 9 | | 10 |
| | Gls. | Qt. B. | Gls. | Qt. B. | | Gls. | Qt. B. | Gls. | Qt. B. | | | Gls. | Qt. B. | |
| | | | | | | | | | | | | | | |

9. An inspection note-book shall also be maintained intact with the pages numbered consecutively, so that officers inspecting the shop may enter their remarks therein. The note-book shall be handed over to the Range Inspector or any officer authorized by him to receive it at any time on a receipt being given therefor.

10. In case of breach of any of the conditions of this license, it shall be competent to the Deputy Commissioner to impose a fine not exceeding Rs. 10 for every such breach of such conditions or to cancel the license forthwith.

11. The imposition of a fine or cancellation of this license under the foregoing conditions shall not be held to prevent the holder of the license from being prosecuted under the Mysore Excise Regulation No. V of 1901.

12. This license shall also be revocable by the Deputy Commissioner, with the sanction of the Excise Commissioner, for any other cause on giving fifteen days' notice of such revocation.

Dated .....

Deputy Commissioner,

..... District.

## COUNTERPART AGREEMENT.

Having been authorized by the Deputy Commissioner of the District of..... to sell Methylated spirit at.....in the town of.....; from the 1st day of July 190 , to the 30th day of June 190 . I, son of....., residing at .....do for myself, my heirs, my legal representatives and assigns hereby agree with the said Deputy Commissioner that I will well and truly observe and perform the conditions and stipulations contained in the license No. , dated the..... day of 190 , issued to me by the said Deputy Commissioner.

Dated the.....day of.....190 .

Signature.

### Form M. S.—2.

Permit for Transport of Methylated spirits to be granted to Licensed Vendors.

COUNTERFOIL.

No.

Date of application

Name of applicant

Address in full

Quantity to be transported

Name of the Bonded Depôt

Date

Initials.

No.

Dated 190 .

Licensed vendor at.....is hereby permitted to transport.....gallons of Methylated spirits from the Bonded Depôt at..... to his licensed shop at.....

The permit shall be carried with the consignment of the spirit, the transport of which it is intended to cover and is current for.....days.

Deputy Commissioner.

### Form M. S.—3.

Application for permit for Transport of Methylated spirits granted to Licensed Vendors.

No. Dated 190 .

To

The Deputy Commissioner of.....

Sir,

Please permit me to transport.....gallons of spirit rendered effectually and permanently unfit for human consumption by the admixture of caoutchoucine from the Bonded Depôt at.....I herewith enclose Treasury receipt No.....dated..... for Rs. , being the duty and price on the aforesaid quantity.

Licensed Vendor.....

Address in full.....

Form M. S.—4.

Register of Methylation in the.....Distillery

| Date | Methylation materials | | | | | | Spirits methylated | | | Remarks (Here enter whence materials received, number and date of Chemical Examiner's report, authority for Methylation, etc). |
|---|---|---|---|---|---|---|---|---|---|---|
| | Description | Unit | In hand | Received | Total in hand and received | Used | Vat No. | Quantity | Strength | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| | | | | | | | | | | |

*Fl.* 4843—*S. R.* 158-07-2, *dated 25th March* 1908.

In exercise of powers conferred by Section 4 of the Mysore Excise Regulation, V of 1901, as amended from time to time, and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja are pleased to make the following amendments in the appointments made under Government Notification No. 11212—E. F. 3-01, dated 6th January 1902:—

1. Omit "Assistant Inspectors" in line 3, para 1 of clause (*e*).
2. Add "Assistant Inspectors" before "Sub-Inspectors" in line 1, para 2 of clause (*e*) and
3. Add the following as para 3 to clause (*e*):—

"3. *Assistant and Sub-Inspectors of the Excise Department* to be Excise Officers under their respective denominations for the purposes of Section 32 of the Excise Regulation and to exercise the powers and discharge the duties conferred and imposed on Excise Officers in the said section, within ranges or circles to which they are attached."

By Order,
C. S. BALASUNDARAM IYER,
*Offg. Secy. to Govt., Gen. & Rev. Depts.*